

United States District Court
for the
Southern District of New York

WILMINGTON SAVINGS FUND)	
SOCIETY, FSB, D/B/A CHRISTIANA)	
TRUST, NOT INDIVIDUALLY BUT AS)	
TRUSTEE FOR PRETIUM MORTGAGE)	
ACQUISITION TRUST)	
)	Civil Action No. 19-cv-11801
Plaintiff)	
v.)	<u>AMENDED DEFAULT JUDGMENT OF</u>
)	<u>FORECLOSURE AND SALE</u>
)	
)	
FARAH PETION, DIANE ATTANASIO)	
)	
Defendant(s))	

Before the Court is a motion to amend the Default Judgment of Foreclosure and Sale that was filed on August 2, 2021 (*See* Document #31), pursuant to Fed. R. Civ. P. §55(b)(2) and §59. Plaintiff complied with the rules for securing a default judgment and a judgment of foreclosure and sale under New York law. On August 2, 2021, the Court (U.S. District Judge Kenneth M. Karas) granted the motion and entered a Default Judgment of Foreclosure and Sale.

Accordingly, it is

ORDERED, ADJUDGED AND DECREED, the Plaintiff's motion is granted in its entirety; and it is further

ORDERED, ADJUDGED AND DECREED, the Plaintiff is awarded an amended default judgment pursuant to Fed. R. Civ. P. §59 and §55(b)(2); and it is further

ORDERED, ADJUDGED AND DECREED, that Default Judgment of Foreclosure and Sale filed on August 2, 2021 is amended and updated to clearly reflect the amount due and owing for: (a) unpaid interest-bearing principal though January 29, 2023 was \$299,117.38; (b) deferred, non-interest-bearing unpaid principal though January 29, 2023 was \$163,422.97; (c) unpaid

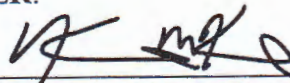
accrued interest through April 9, 2021 @ 4.00% *per annum* was \$29,615.97; (d) hazard insurance disbursements though January 29, 2023 was \$4,829.30; (e) tax disbursements though January 29, 2023 was \$54,464.46; (f) property inspections and preservation disbursements though January 29, 2023 was \$682.09; (g) escrow balance credit to the Defendant Farah Petion though January 29, 2023 was \$5,448.12, and; (h) title search cost though January 29, 2023 was \$975.00; and it is further

ORDERED, ADJUDGED, AND DECREED, any other amounts awarded in the Default Judgment of Foreclosure and Sale filed on August 2, 2021 remain due and owing; and it is further

ORDERED, ADJUDGED, AND DEGREED, the amount due and owing under the Amended Default Judgment of Foreclosure and Sale will accrue statutory interest upon and after its entry in accordance with 28 U.S.C. §1961; and it is further

ORDERED, ADJUDGED AND DECREED, all other provisions of the Default Judgment of Foreclosure and Sale filed on August 2, 2021 (*See* Document #31) remain in full force and effect and are incorporated by reference herein.

ENTER:



**DISTRICT JUDGE KENNETH M. KARAS
UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF NEW
YORK**

Dated: May 18, 2023
White Plains, New York

Schedule A

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Crawford, County of Orange and State of New York, shown and designated as Lot No. 2 on a certain subdivision map entitled, "Scarley Subdivision, Joshua Dr., Town of Crawford, State of New York, Orange County" dated July 18, 1994 and filed in the Orange County Clerk's Office on February 3, 1995 as Map No. 8-95, which said lot is more particularly bounded and described in accordance with said map as follows:

BEGINNING at the Easterly most corner of the lands reputedly of Vasquez, where the same is intersected by the intersection of Lots No. 1 and 2 on the aforesaid map and also being North 38 degrees 25 minutes 00 seconds East, a distance of 400.00 feet from the Northeasterly side of said Joshua Drive, where the same is intersected by the most Westerly corner of Lot No. 1;

RUNNING THENCE from said point or place of beginning and along the lands reputedly of said Vasquez and Claudio, North 45 degrees 45 minutes 00 seconds West, a distance of 220.00 feet;

THENCE the following 2 courses and distances along the lands reputedly of Gabarino:

1) North 38 degrees 25 minutes 00 seconds East, a distance of 98.98 feet;

2) North 44 degrees 03 minutes 00 seconds West, a distance of 175.12 feet;

THENCE along the lands reputedly of Schumm, Logue and McCormack, North 46 degrees 26 minutes 00 seconds East, a distance of 420.00 feet;

THENCE along the lands reputedly of Williamson and Haycook, South 44 degrees 03 minutes 00 seconds East, a distance of 728.44 feet;

THENCE along the lands reputedly of Pisani, South 47 degrees 52 minutes 00 seconds West, a distance of 502.75 feet;

THENCE along the dividing line between Lots No. 1 and 2, North 45 degrees 45 minutes 00 seconds West, a distance of 307.30 feet to the point of BEGINNING.

TOGETHER with a 30 foot wide right-of-way for ingress and egress to Joshua Drive through Lot No. 1, as shown on the above captioned subdivision map and being along the Northwestern side of said Lot No. 1.